North Atlantic Coast Comprehensive Study: Policy Challenges and Institutional Barriers Overview

Mark Dunning, Ph.D.
CDM Smith
Fairfax, VA

US Army Corps of Engineers
BUILDING STRONG®

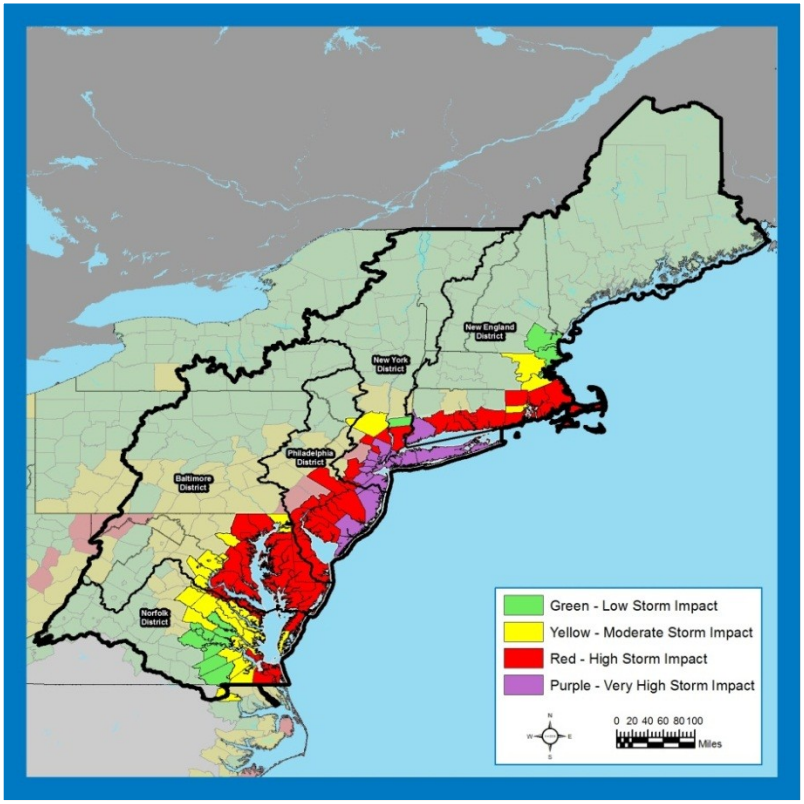
Agenda

- General NACCS overview
- **Part 1:** Policy and institutional challenges as identified by interviews/literature review
- **Part 2:** Workshop on policy challenges for nature-based infrastructure

NACCS Background

"That using up to $20,000,000* of the funds provided herein, the Secretary shall conduct a ***comprehensive study*** to address the flood risks of ***vulnerable coastal populations*** in areas that were affected by Hurricane Sandy within the boundaries of the North Atlantic Division of the Corps…" (*$19M after sequestration)

- *Complete by Jan 2015*



Goals

- Provide a risk reduction framework, consistent with USACE-NOAA Rebuilding Principles
- Support resilient coastal communities and robust, sustainable coastal landscape systems, considering future sea level rise and climate change scenarios, to reduce risk to vulnerable population, property, ecosystems, and infrastructure

North Atlantic Coast Comprehensive Study

- Study due to Congress by January 2015
- Ensure study is consistent with interagency efforts
- ***Identify institutional barriers*** and develop strategies to address them

Part 1: Objective

Identify “Policy Challenges” that, in the broadest sense, hinder the ability to provide comprehensive protection to coastal areas. “Policy Challenges” include:

- **Policies** (laws, regulations, agency guidance and programs) at federal, state, or local levels that:
  - Contribute to vulnerability of coastal populations, and/or to vulnerability of coastal infrastructure
  - Work at cross purposes with policies and measures that reduce risk and/or increase resiliency
  - Increase flood risk in the coastal zone (tidally influenced)
  - Conflict with the goals of coastal management
  - Expose federal investments or increase financial exposure of Federal taxpayers
- **Institutional barriers** posed by agency silos, missions, incompatible policies, etc. that:
  - Inhibit necessary coordination and collaboration among agencies/levels of government, and/or that otherwise impede the attainment of NACCS goals
- **Public/political barriers** that impede a community’s or politician’s willingness to support hard decisions, innovative solutions or

Part 1: Key Questions & Approach

- **Key Questions**
  - What are the most significant policy challenges that complicate or impede the attainment of NACCS goals? (***Challenges)***
  - What policies are facilitating the attainment of NACCS goals? (***Successes***)
  - What are priorities for action for tackling policy challenges? (***Opportunities***)
- **Approach**
  - Interviews (federal, state, local government representatives, academe, stakeholder groups)
  - Literature reviews

Part 1: Bottom Line Up Front

- Policy landscape is complex and vast
- This landscape is becoming more supportive of NACCS risk management and resilience goals
- Numerous ideas and recommendations for creating a policy environment more supportive of NACCS goals have emerged during the NACCS study
- Some of the more significant findings are presented in today's webinar

Findings: Challenges, Successes, Opportunities

- Themes
  - Risk/resilience standards
  - Risk communication and outreach
  - Risk management
  - Science, engineering, and technology
  - Leadership and institutional coordination
  - Economic stressors and resources

Risk/Resilience Standards

- **Challenges**
  - Lack of a uniform standard for defining “acceptable risk” for coastal communities and infrastructure.
  - Some federal policies’ disaster mitigation requirements prevent risk management improvements
- **Successes**
  - Hurricane Sandy Rebuilding Strategy Task Force (HSRSTF) recommended a minimum flood risk reduction rebuilding standard for major federal investments of (ABFE+1)
- **Opportunities**
  - Develop standards for acceptable risk
  - Assemble team of federal leaders, governors, and regional/ local champions for resilience to develop a national strategy for risk reduction and resilience, and to harmonize and untangle federal risk management policies that work at cross purposes

Risk Communication and Outreach

- **Challenges**
  - Effective communication of risk is difficult and sometimes key messages about risk are ignored, misunderstood, or overshadowed by fear of economic consequences associated with risk management options.
- **Successes**
  - Sea Grant program, EPA National Estuary Program, local “listening sessions”
- **Opportunities**
  - Improved risk communication tools

Risk Management

- **Challenges**
  - -Complexity of risk management programs and policies provided by myriad agencies, and their sometimes inconsistent and/or conflicting execution at the local level has frustrated the recovery process and sometimes resulted in lost opportunities
  - -Lack of local level resilience planning capacity and capability
  - -Regulatory process sometimes constrains risk management solutions
  - -Rising insurance rates and flood risk maps
- **Successes**
  - -FEMA Community Rating System incentivizes floodplain management BMPs
- **Opportunities**
  - -Create a safety net for low income flood insurance policy holders
  - -Explore public – private partnership opportunities for regional sediment management
  - -Explore developing general permit conditions that support broad range of risk management solutions in the general permit process

Science, Engineering, and Technology

- **Challenges**
  - USACE dredge material disposal policy “least cost” requirement (Federal Standard) misses opportunities for beach nourishment
  - Little performance and engineering information regarding “nature based” or “green infrastructure” coastal management solutions comparable to that available for hardened structures
- **Successes**
  - NOAA/USACE map services; USACE/NOAA/FEMA SAGE initiative
- **Opportunities**
  - Re-evaluate the Federal Standard for possibility of broadening evaluation factors beyond economic least cost to include ecosystem service benefits/costs, public safety, and other factors addressed in the new Principles and Requirements
  - Develop design guidance for coastal risk reduction nature-based/ green infrastructure solutions; information on O&M requirements

Leadership and Institutional Coordination

- **Challenges**
  - Lack of/limited coordination across Congressional committees
  - Lack or limited coordination among/within agencies and levels of government
- **Successes**
  - Move for new WRDA; formation of the MitFLG; FIFMTF
- **Opportunities**
  - Explore use of existing coordinating/integrating mechanisms like River Basin Commissions for coastal decision making
  - Explore developing special authorization (with a sunset provision) for the Sandy area to harmonize agency policies and address agency silo challenges that conflict with overarching Sandy recovery goals.
  - Perhaps, in combination with special authorization opportunity above, explore developing interagency pilot project(s) to develop innovative risk management and resiliency solutions

Economic Stressors and Resources

- **Challenges**
  - Authorities focused on least cost or BCR limiting ability to consider other benefits; often not conducive to regional/watershed solutions
  - Diverse cost sharing rules and policies complicate innovative financing and partnerships
  - Investments to prepare for and mitigate future disasters provides much higher return than investments in disaster recovery
- **Successes**
  - Authorization of funds through Disaster Relief Appropriations; growing support for public-private partnerships; new Principles and Requirements
- **Opportunities**
  - Create new tax and market-based incentive programs for risk management and resilience
  - New tools for quantifying benefits identified in the P&R

Part 1: Summary, Conclusions

- A policy and institutional landscape more supportive of NACCS goals is emerging
- Some key opportunities for creating a policy environment more supportive of NACCS goals:
  - Standards to define acceptable levels of risks
  - Integrated national/regional strategies for flood risk and coastal management
  - Strong coordinated leadership/governance to tackle institutional barriers and promote interagency collaboration
  - Improved tools for communicating risk
  - Disaster mitigation funding (vs. disaster recovery)

Part 1: Questions?

Mark Dunning
Dunningcm@cdmsmith.com
703-691-6500